

S.B. Civil First Appeal No.285/2001

Date : 13th December, 2005

HON'BLE MR.JUSTICE SATYA PRAKASH PATHAK

Mr. M.C. Bhoot for appellants.
Mr. M.R. Thanvi for respondent.

The matter has been listed today on an application moved by the appellants wherein it has been stated that a compromise has been arrived at between the parties, therefore, the preliminary decree passed by the learned Additional District Judge No.2, Jodhpur is required to be set aside and the suit filed by the plaintiff is liable to be dismissed as withdrawn. At the back of the application, a compromise has been written wherein the parties to the litigation have been identified by their respective learned counsel.

Learned counsel for the parties are present today.

In view of the compromise arrived at between the parties, verified by the learned Deputy Registrar (Judicial), the matter requires to be disposed of as per the compromise arrived at

between the parties.

In view of above, the preliminary decree passed by learned Additional District Judge No.2, Jodhpur in Civil Original Suit No.134/90 dated 03.09.2001 is hereby set aside and the suit filed by the plaintiff is dismissed as withdrawn. Now, nothing is required to be decided in this appeal and as such the present appeal having become infructuous is disposed of in terms of the compromise arrived at between the parties.

The appeal stands disposed of accordingly.

(SATYA PRAKASH PATHAK) ,J.